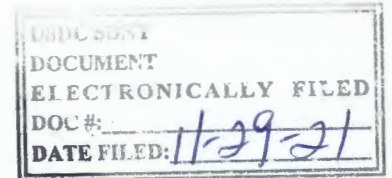


Marc Toberoff (MT 4862)  
mtoberoff@toberoffandassociates.com  
TOBEROFF & ASSOCIATES, P.C.  
23823 Pacific Coast Hwy, Suite 50-363  
Malibu, CA 90265  
Telephone: (310) 246-3333  
Facsimile: (310) 246-3101

*Attorneys for Patrick S. Ditko*



**UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK**

MARVEL CHARACTERS, INC.,

Plaintiff,

v.

PATRICK S. DITKO, in his capacity as  
Administrator of the Estate of Stephen J.  
Ditko,

Defendant.

Case No.: 1:21-cv-07957-LAK

Hon. Lewis A. Kaplan

**STIPULATION AND  
~~PROPOSED~~ ORDER  
EXTENDING TIME FOR  
DEFENDANT PATRICK S.  
DITKO TO RESPOND TO  
COMPLAINT**

WHEREAS, Defendant Patrick S. Ditko's ("Defendant") response to the Complaint filed in this matter by Plaintiff Marvel Characters, Inc. ("Plaintiff") is currently due November 30, 2021, shortly after the Thanksgiving Holiday;

WHEREAS, Defendant therefore requested a one (1) week extension to respond to the Complaint; and

WHEREAS, this is Defendant's first request for such an extension;

IT IS HEREBY STIPULATED AND AGREED, by and between Plaintiff and Defendant, through their respective counsel of record, subject to the Court's approval, that the date for Defendant to respond to the Complaint shall be extended by one (1) week to December 7, 2021.

Date: November 26, 2021

Respectfully submitted,

By: /s/ Marc Toberoff  
Marc Toberoff

TOBEROFF & ASSOCIATES, P.C.  
*mtoberoff@toberoffandassociates.com*  
23823 Pacific Coast Hwy, Suite 50-363  
Malibu, CA 90265  
Telephone: (310) 246-3333  
Facsimile: (310) 246-3101

*Attorneys for Defendant Patrick S. Ditko*

Date: November 26, 2021

Respectfully submitted,

**O'MELVENY & MYERS LLP**

By: /s/ Daniel M. Petrocelli  
Daniel M. Petrocelli

Daniel M. Petrocelli  
*dpetrocelli@omm.com*  
Molly M. Lens  
*mlens@omm.com*  
Danielle Feuer  
*dfeuer@omm.com*  
1999 Avenue of the Stars, 8th Floor  
Los Angeles, California 90067  
Telephone: (310) 553-6700  
Facsimile: (310) 246-6779

Allen W. Burton  
*aburton@omm.com*  
Times Square Tower  
7 Times Square  
New York, NY 10036  
Telephone: (212) 326-2000  
Facsimile: (212) 326-2061

Kendall Turner  
*kendallturner@omm.com*  
1625 I Street NW  
Washington, DC 20006  
Telephone: (202) 383-5300  
Facsimile: (202) 383-5414

SO ORDERED

  
LEWIS A. KAPLAN, USDJ

11/29/21